REMARKS

Claims 1-19 remain pending in the application. Claims 1-19 currently stand rejected. Claims 1-3, 6-8, 10-12, and 15-18 are amended herein. No new matter has been added. The Applicant respectfully requests entrance of the amendments, consideration of the following remarks and allowance of the claims.

Claim Rejections under 35 U.S.C. § 102(b)

Claims 1, 6-8, 10, and 15-18 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,867,483 (Ennis). The Applicant respectfully disagrees for at least the following reasons.

In order to anticipate a claim under 35 U.S.C. § 102(b), each and every element as set forth in the claim must be found, either expressly or inherently described, in a single prior art reference. (MPEP § 2131). The Applicant respectfully contends that Ennis does not disclose all the elements of claim 1. Therefore, claim 1 should be allowed.

In particular, independent claim 1 recites a communication control system for bandwidth level selection. The communication control system comprises, in part, a processing system configured to display a graphical bandwidth level selection indicium on a display device, with the graphical bandwidth level selection indicium comprising two or more bandwidth level indicia and to receive a user input from the input device in response to the graphical bandwidth level selection, with the user input selecting a particular bandwidth level indicium of the two or more bandwidth level indicia.

Ennis discloses counters that represent different percentage ranges indicating the amount of bandwidth utilization for an access channel or an individual circuit. (Ennis, col. 10, lines 23-26). However, Ennis does not disclose a processing system configured to display a graphical bandwidth level selection indicium, as required by claim 1. The counters in Ennis simply display a current bandwidth utilization for an access channel or individual circuit. Whereas, the processing system of claim 1 displays a graphical bandwidth level selection indicium that can be used to select a bandwidth level for a communication link and for a communication session. (Current App., pg. 16, lines 11-13).

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Furthermore, Ennis discloses a user input in the form of an operator entering bandwidth capabilities and committed information rates. (Ennis, col. 9, lines 42-44). Additionally, Ennis discloses a user input in the form of an operator selecting to view either an access channel or a circuit level. (Ennis, col. 15, lines 26-30). However, nowhere does Ennis disclose receiving a user input in response to a graphical bandwidth level selection, with the user input selecting a particular bandwidth level indicium of the two or more bandwidth level indicia.

For at least the above reasons, Ennis fails to disclose all of the elements of claim 1. Therefore, claim 1 should be allowed.

Independent claim 10 contains limitations similar to those of claim 1 and, therefore, is also respectfully considered to be allowable. Additionally, the Applicant refrains from discussion of dependent claims 6-8 and 15-18 in view of their dependence from otherwise allowable independent claims.

Claim Rejections under 35 U.S.C. § 103

Dependent claims 2-5 and 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ennis in view of U.S. Patent Application Publication No. 2003/0079019 (Lolayekar). The Applicant refrains from discussion of dependent claims 2-5 and 11-14 in view of their dependence from otherwise allowable independent claims 1 and 10. However, it is respectfully believed that the Lolayekar reference fails to overcome the shortcomings of the Ennis reference as discussed above in the arguments distinguishing independent claims 1 and 10.

Dependent claims 9 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ennis in view of U.S. Patent Application Publication No. 2003/0055972 (Fuller). The Applicant refrains from discussion of dependent claims 9 and 19 in view of their dependence from otherwise allowable independent claims 1 and 10. However, it is respectfully believed that the Fuller reference fails to overcome the shortcomings of the Ennis reference as discussed above in the arguments distinguishing independent claims 1 and 10.

CONCLUSION

Based on the above remarks, the Applicant respectfully submits that claims 1-19 in their present form are allowable. Additional reasons in support of patentability exist, but such reasons are omitted in the interests of clarity and brevity. The Applicant respectfully requests allowance of the claims at the Examiner's earliest convenience.

The Applicant hereby authorizes the Office to charge Deposit Account No. 21-0765 the appropriate fee under 37 C.F.R. § 1.17(e) for the Request for Continued Examination (37 C.F.R. § 1.114(a)). The Applicant believes there are no other fees due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765.

Respectfully submitted,

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